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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Applicant:

Hanan HERZBERG

Serial No.: 10/511,859

Filed: October 18, 2004

For: Non-Intrusive Modem Performance  
Analysis

Examiner: Leon FLORES

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Confirmation No.: 5049

Group Art Unit: 2611

Attorney

Docket: 37476

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION AND FEE FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)**

Sir:

(1) This is a petition for an extension of time to respond to the Final Office Action mailed **April 14, 2009**, for a period of **three (3) months**.

(2) Applicant is a:  
X small entity      \_\_\_ verified statement attached  
                                 \_\_\_ verified statement filed

| (3) Extensions<br>(months)                              | Fees for<br><u>small entity</u> | Fee for other than<br><u>small entity</u> |
|---|---------------------------------|---|
| <input type="checkbox"/> one month                      | \$ 65.00                        | \$ 130.00                                 |
| <input type="checkbox"/> two months                     | \$ 245.00                       | \$ 490.00                                 |
| <input checked="" type="checkbox"/> <b>three months</b> | \$ <b>555.00</b>                | \$1,110.00                                |
| <input type="checkbox"/> four months                    | \$ 865.00                       | \$1,730.00                                |
| <input type="checkbox"/> five months                    | \$1,175.00                      | \$2,350.00                                |

(4) A Notice of Appeal and Pre-Appeal Brief Request for Review X are filed herewith  
   \_\_\_ have been filed

(5) Please charge the extension fee and any other amount required to Deposit Account No. **50-1407**.

Respectfully submitted,

*Martin D. Moynihan*

Martin D. Moynihan  
Registration No. 40,338

Date: October 8, 2009

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